UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,529	02/18/2004	Abhishek Chauhan	2006579-0554 (CTX-161)	3237

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EXAMINER
CERVETTI, DAVID GARCIA

ART UNIT	PAPER NUMBER
2136	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 February 2004*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9 and 12-24* is/are rejected.

7)☒ Claim(s) *10,11,25 and 26* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 February 2004* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *6/25/04*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-26 are pending and have been examined.

Drawings

2.   Figures 1 and 2 should be designated by a legend such as --Prior Art-- because

only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in

compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid

abandonment of the application. The replacement sheet(s) should be labeled

"Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct

any portion of the drawing figures. If the changes are not accepted by the examiner, the

applicant will be notified and informed of any required corrective action in the next Office

action. The objection to the drawings will not be held in abeyance.

Specification

3.   The disclosure is objected to because it contains embedded hyperlinks (pars. 38,

72, 75, 80, etc.) and/or other form of browser-executable code. Applicant is required to

delete the embedded hyperlink and/or other form of browser-executable code. See

MPEP § 608.01.

Claim Objections

4.   Claims 7 and 22 are objected to because of the following informalities: "URL"

must be spelled out. Appropriate correction is required.

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6.   Claims 15 and 17-26 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 15 and 17-26 are not limited to tangible embodiments. In view of applicant's disclosure, specification (page 25, par. 84), the system may be hardware or a combination of hardware and software. As such, the claims are not limited to statutory subject matter and are therefore non-statutory.

7.   To expedite a complete examination of the application, the claims rejected under 35 U.S.C. 101 (non-statutory) above are further rejected as set forth below in anticipation of applicant amending these claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

9.   **Claims 1, 4-5, 7, 13-15, 17, and 20-22 are rejected under 35 U.S.C. 102(a) as being anticipated by Herrera et al. (US Patent Application Publication 2004/0015463, hereinafter Herrera).**

Regarding claims 1 and 17, Herrera teaches

a computer-implemented method / system for filtering messages routed across a

network, the messages including field name-value pairs, the method / system

comprising **(pars. 4-7, inferencing service for applications, receive input, applying**

rule, determine validity):

(a learning engine for) extracting field name-value pairs from the messages

(pars. 76-78, classes w/ fields/values);

determining, for values of the same field name, a most restrictive data type of the

values **(pars. 78-82, determine constraints for fields)**; and

storing the data type in association with the field name **(pars. 106-108,**

assigning type/values to fields)/ and

a message filter, for generating a rule which would allow messages having

values of a field name that match the most restrictive data type **(pars. 100-102,**

generating rule snapshot).

Regarding claims 7 and 22, Herrera teaches

a computer-implemented method / system for filtering URL messages routed

across a network, wherein the messages include URL components, the method /

system comprising **(pars. 4-7, inferencing service for applications, receive input,**

applying rule, determine validity):

(a learning engine) extracting URL components from the messages **(pars. 76-78,**

classes w/ fields/values, par. 102-103, URL input);

determining, for URL components at the same level, with the same root URL component, a most restrictive data type of the URL component **(pars. 78-82, determine constraints for fields)**; and

storing the data type in association with the URL component **(pars. 106-108, assigning type/values to fields)**/ and

a message filter, for generating a rule which would allow messages having the URL components that match the most restrictive data type **(pars. 100-102, generating rule snapshot)**.

Regarding claims 13 and 15, Herrera teaches

a computer-implemented method / system for inferencing a data type of scalar objects, the method / system comprising **(pars. 4-7, inferencing service for applications, receive input, applying rule, determine validity)**:

determining a match factor for a data type, the match factor indicating a fraction of scalar objects that match the data type **(pars. 350-352, matching rule and values)**; and

selecting a most restrictive data type having a match factor exceeding a threshold and having no child data types with a match factor exceeding the threshold **(pars. 152-154, determine datatype associated w/ field and value associated w/ field)**.

Regarding claims 4 and 20, Herrera teaches wherein the determining step further comprises:

determining a match factor for a data type, the match factor indicating a fraction

of values for the same field name that match the data type **(pars. 350-352, matching**

rule and values); and

selecting a data type having a match factor exceeding a threshold and having no

child data types with a match factor exceeding the threshold **(pars. 152-154, determine**

datatype associated w/ field and value associated w/ field).

Regarding claims 5, 21, and 14, Herrera teaches wherein the threshold is a

fraction of values for the same field name which should match the data type / a fraction

of scalar objects which should match the data type **(pars. 152-154, determine**

datatype associated w/ field and value associated w/ field) .

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

11.   Claims 2-3, 6, 8-9, 12, 16, 18-19, and 23-24 are rejected under 35

U.S.C. 103(a) as being unpatentable over Herrera, and further in view of Brand et

al. (US Patent 7,089,542, hereinafter Brand).

Regarding claims 2 and 18, Herrera does not expressly disclose generating a

rule which would allow messages having values of a field name that match the most

restrictive data type. However, Brand teaches generating a rule which would allow

messages having values of a field name that match the most restrictive data type **(col.**

8, lines 5-50, constraint solver). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to generate rules to match certain conditions in the system of Herrera. One of ordinary skill in the art would have been motivated to perform such a modification to determine constraints are consistent (Brand, col. 2, lines 51-67, col. 3, lines 1-5).

   Regarding claim 3, the combination of Herrera and Brand teaches applying the rule to determine whether to allow messages having values for a field name that match the most restrictive data type **(Brand, col. 8, lines 5-50, constraint solver, remembers type constraint for field and evaluates them)**.

   Regarding claim 19, Herrera does not expressly disclose applying the rule to determine whether to allow messages having values for a field name that match the most restrictive data type. However, Brand teaches applying the rule to determine whether to allow messages having values for a field name that match the most restrictive data type **(col. 8, lines 5-50, constraint solver, remembers type constraint for field and evaluates them)**. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to generate rules to match certain conditions in the system of Herrera. One of ordinary skill in the art would have been motivated to perform such a modification to determine constraints are consistent (Brand, col. 2, lines 51-67, col. 3, lines 1-5).

   Regarding claims 8 and 23, Herrera does not expressly disclose generating a rule which would allow messages having the URL components that match the most restrictive data type. However, Brand teaches generating a rule which would allow

messages having the URL components that match the most restrictive data type **(col. 8, lines 5-50, constraint solver)**. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to generate rules to match certain conditions in the system of Herrera. One of ordinary skill in the art would have been motivated to perform such a modification to determine constraints are consistent (Brand, col. 2, lines 51-67, col. 3, lines 1-5).

Regarding claim 9, the combination of Herrera and Brand teaches applying the rule to determine whether to allow messages having the URL components that match the most restrictive data type **(Brand, col. 8, lines 5-50, constraint solver, remembers type constraint for field and evaluates them)**.

Regarding claim 24, Herrera does not expressly disclose applying the rule to determine whether to allow messages having the URL components that match the most restrictive data type. However, Brand teaches applying the rule to determine whether to allow messages having the URL components that match the most restrictive data type **(col. 8, lines 5-50, constraint solver, remembers type constraint for field and evaluates them)**. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to generate rules to match certain conditions in the system of Herrera. One of ordinary skill in the art would have been motivated to perform such a modification to determine constraints are consistent (Brand, col. 2, lines 51-67, col. 3, lines 1-5).

Regarding claims 6, 12, and 16, the combination of Herrera and Brand teaches a computer program product comprising a computer-readable medium containing

computer program code for performing any one of the methods of claims 1 through 5, 7

through 11, and 13 through 14 **(Herrera, par. 49, software)**.

Allowable Subject Matter

12.   Claims 10, 11, 25, and 26 are objected to as being dependent upon a rejected

base claim, but would be allowable if rewritten in independent form including all of the

limitations of the base claim and any intervening claims.

Conclusion

13.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to David García Cervetti whose telephone number is (571)272-5861. The examiner can normally be reached on Monday-Tuesday and Thursday-Friday.

14.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on (571)272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

15.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David García Cervetti/
Primary Examiner, Art Unit 2136